

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

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| In re: | * | |
| | * | |
| MICHAEL BOWAN SIVY, | * | Case No. 18-12656-BFK |
| | * | Chapter 7 |
| | * | |
| Debtor. | * | |
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| U.S. BANK NATIONAL ASSOCIATION, AS | * | |
| TRUSTEE FOR STRUCTURED | * | |
| ADJUSTABLE RATE MORTGAGE LOAN | * | |
| TRUST, MORTGAGE PASS-THROUGH | * | |
| CERTIFICATES, SERIES 2006-4 | * | |
| | * | |
| Movant, | * | |
| | * | |
| v. | * | |
| | * | |
| MICHAEL BOWAN SIVY | * | |
| | * | |
| and | * | |
| | * | |
| DONALD F. KING, TRUSTEE | * | |
| | * | |
| Respondents. | * | |

ANSWER AND OPPOSITION TO MOTION FOR RELIEF FROM AUTOMATIC STAY

DONALD F. KING, TRUSTEE (“**Trustee**”), by counsel, files his Answer and Opposition to the Motion for Relief From the Automatic Stay (“**Motion**”) filed by U.S. Bank National Association, as Trustee For Structured Adjustable Rate Mortgage Loan Trust, Mortgage Pass-Through Certificates, Series 2006-4 (“**Movant**”) in the above referenced case for the property located at 43884 River Point Drive, Leesburg, VA 20176 (“**Property**”), and states as follows:

ALEXANDER M. LAUGHLIN (VSB No. 25237)
Counsel for Trustee
ODIN, FELDMAN & PITTLEMAN, P.C.
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1. The Trustee admits the allegations contained in Paragraphs 1-2.
2. The Trustee, lacking sufficient knowledge of the allegations contained in Paragraphs 3-9 of the Motion, neither admits nor denies such allegations and requires proof thereof.
3. The Trustee admits the allegations contained in Paragraph 10 that the Debtors scheduled the value of the Property at \$850,000.00.
4. The Trustee lacks sufficient knowledge of the allegations contained in Paragraph 11 of the Motion and neither admits or denies such allegations and requires proof thereof.
5. The Trustee denies the allegations in Paragraphs 12 and 13 of the Motion.

AFFIRMATIVE DEFENSE

Movant alleges that the unpaid principal amount due under its Note with the Debtor is approximately \$468,201.99. The Debtor scheduled the value of the Property at \$850,000.00. The Trustee is evaluating the extent of the equity in the property. Assuming, without admitting, that Movant's allegations in the Motion are correct, there is an equity cushion protecting Movant's alleged interest in the Property.

WHEREFORE, Donald F. King, Trustee, by counsel, requests that this Court enter an order denying Movant's Motion for Relief from the Automatic Stay.

DONALD F. KING, TRUSTEE
By Counsel

By: /s/ Alexander M. Laughlin
ALEXANDER M. LAUGHLIN, ESQUIRE (VSB No. 25237)
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing Opposition was sent on the 5th day of November, 2018 via Notice of Electronic Filing to all registered users in this case pursuant to this Court's CM/ECF Policy, including Counsel for the Movant, The U.S. Bank National Association, As Trustee For Structured Adjustable Rate Mortgage Loan Trust, Mortgage Pass-Through Certificates, Series 2006-4, and counsel for the Debtor.

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/s/ Alexander M. Laughlin
Alexander M. Laughlin

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